

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS C. DURHAM,

Defendant.

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No. 96-CR-40051-WDS

ORDER

This matter is before the Court on defendant's pro se motion for an addendum to his presentence investigation report to recommend that he receive 500 hour RDAP drug treatment program while incarcerated (Doc. 204). The defendant was sentenced on January 30, 1998, to a term of imprisonment of 420 months, 10 years of supervised release, a fine of \$3,500.00 and a special assessment of \$100.00. The defendant took a direct appeal, and his conviction and sentence were affirmed, see, *United States v. Durham*, 211 F.3d 437 (7th Cir. 2000). In 2012, the Court granted his motions for retroactive application of the Advisory Sentencing Guidelines based on crack cocaine related offenses to a term of 274 months.

The defendant now seeks to have the Court amend his 1998 presentence report to include a history of prior substance abuse and recommend intensive drug treatment in order to prepare him for his eventual release from prison.

Unfortunately, the defendant did not, at the time of his original sentence, object to the recommendations of the PSR, and the findings therein. The defendant is, essentially, challenging a term or condition of his 1998 sentence, and the Court cannot, at this stage of the proceedings, grant him the relief he seeks.

Accordingly, the Court **DISMISSES** defendant's motion for an addendum to the presentence investigation report.

IT IS SO ORDERED.

DATE: 18 September, 2013

s/ WILLIAM D. STIEHL
DISTRICT JUDGE